IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No. 3946 of 1992

Date of Decision: October 23, 2006

Ranbir Singh

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. S.K. Sud, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

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M.M. KUMAR, J. (ORAL)

On May 1, 1995, a Division Bench of this Court has observed that all those candidates who have been selected on the basis of impugned selection were necessary parties and were required to be impleaded as party respondents. Accordingly, on the request made by the counsel for the petitioner, the selected candidates were permitted to be impleaded as party to challenge their appointment. It was further directed that respondent State

would furnish a list of selected and appointed candidates within three weeks from the date of the passing of the order i.e. May 1, 1995 and then necessary steps were to be taken within next three weeks by the counsel for the petitioner. The Division Bench also indicated that if necessary steps are not taken by the petitioner by impleading the selected candidates as parties to this petition then the petition was to be dismissed without further reference to the Bench.

Learned counsel for the petitioner has pointed out that no list within the stipulated period of three weeks from the date of passing of the order dated May 1, 1995 was furnished and therefore, he could not implead the selected and appointed candidates as party respondents. However, we are unable to accept the aforementioned submission for the reasons that total six weeks for impleadment of selected and appointed candidates as party respondents was granted on May 1, 1995. It was bounden duty of the petitioner to have brought to the notice of this Court the non-furnishing of the list of selected candidates. The petitioner could not have kept quite for 11 long years, by allowing those selected and appointed candidates who have acquired further rights to the posts of Drawing Instructor. Therefore, we find that the petitioner is not really interested in prosecuting the cause disclosed in this petition and accordingly, the writ petition fails and the same is dismissed.

(M.M.KUMAR)
JUDGE

October 23, 2006 (M.M.S.BEDI)
sanjay JUDGE